



State of New Jersey

Richard J. Codey
Acting Governor

Department of Environmental Protection
P.O. Box 402
Trenton, NJ 08625-0402

Robert C. Shinn, Jr.
Commissioner

January 15, 2002

Craig Jones, Vice President
Brice Environmental Services Corporation
P.O. Box 73520
Fairbanks, AK 99707

RE: Certification of Soil Washing Process for Reduction of Lead Contamination at Small Arms Firing Ranges.

Dear Mr. Jones:

The New Jersey Department of Environmental Protection (NJDEP) is pleased to certify the New Jersey Corporation for Advanced Technology (NJCAT) verification of Brice Environmental Services Corporation's soil washing process as an Innovative Environmental Technology (IET). NJDEP's certification of the verification of the soil washing process as an IET acknowledges the technology's capability of reducing lead contamination at Small Arms Firing Ranges (SAFRs). This certification is issued in accordance with the overall verification/certification process, as outlined in the New Jersey Environmental and Energy Technology Verification (EETV) Act at N.J.S.A. 13:1D-134. The intent of the legislation is to promote the use of verified innovative environmental technologies.

Overall, the EETV Act encourages the commercial development and use of technology-based environmental and energy related products, services and systems that abate and prevent environmental pollution, and promote energy conservation in the most cost-effective and environmentally efficient manner. The NJCAT verification process, established by the EETV Act, is an independent third party evaluation of the performance data and claims of an IET. This verification process provides NJDEP and other state permitting agencies or users of the technology with a reasonable degree of assurance that the IET will perform as claimed.

As required by the EETV Act, NJDEP shall certify NJCAT's verification of an IET, providing that the verification has been done in accordance with NJCAT's "Technology Verification Program General Verification Protocol". As directed by the EETV Act, NJDEP and NJCAT jointly developed this protocol. NJCAT's verification report of the performance claims for Brice Environmental Services Corporation's soil washing process, including the validation of the existing performance data, sampling, and analytical methods was submitted to NJDEP on October 23, 2001.

NJCAT's verification of Brice Environmental Services Corporation's soil washing process described its effectiveness to reduce lead contaminants at SAFRs by at least 90%, and render the treated contaminated soil totally reusable. The performance of the soil washing process was quantified through data collected from four

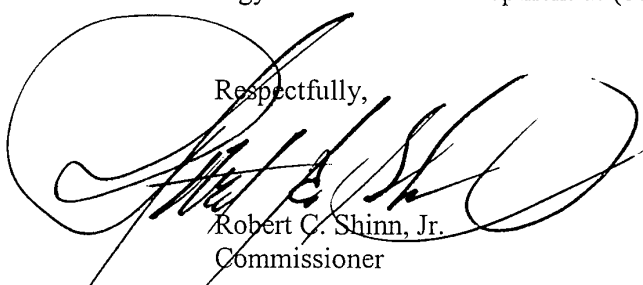
full-scale projects at military installations in four separate states. NJCAT's verification concluded that the soil washing process resulted in an overall net environmental benefit. More specifically, use of the soil washing process reduced the amount of materials destined for hazardous waste landfills, minimized groundwater and surface water contamination, and reduced energy usage and CO₂, SO₂ and NO_x emissions.

After receiving a certification from NJDEP, a NJCAT verified technology or process, which provides a net environmental benefit, qualifies for acceptance, through a reciprocity agreement, by other Technology Acceptance Reciprocity Partnership (TARP) States. TARP is a workgroup established under the Environmental Council of States (ECOS) that has developed and implemented an interstate reciprocity agreement for environmental technology acceptance. This reciprocity agreement defines a process whereby California (CA), Illinois (IL), Massachusetts (MA), New Jersey (NJ), New York (NY), Pennsylvania (PA), and Virginia (VA) adopted a common pathway for the reciprocal evaluation, acceptance and approval of environmental technologies. The TARP States have developed a tiered process to provide the necessary guidelines for developing technologies or processes that will be beneficial to the environment. As outlined in the Strategies Report and Tier I document, a technology that is developed according to the guidelines of a Tier II protocol and receives a certification to its verification as an IET within a TARP State can access the reciprocity process for interstate technology acceptance.

Presently, there is no Tier II protocol that provides guidelines to qualify the soil washing process of Brice Environmental Services Corporation for reciprocity acceptance in other TARP States. However, NJDEP has reviewed NJCAT's verification of Brice Environmental Services Corporation's soil washing process, and found it to be consistent with the guidelines as set forth in the Interstate Technology and Regulatory Corporation (ITRC) document titled "Technical and Regulatory Guidelines for Soil Washing", dated December 1997. Although there is no agreement with the ITRC States, which is another workgroup of ECOS, for interstate reciprocity of site remediation technologies, NJDEP will assist in a facilitated exchange among the ITRC States to promote acceptance of the soil washing process. Please note that there may be limitations associated with the acceptance of this soil washing process such as, but not limited to, site location, lead contamination levels, climatic conditions, and volume of contaminated soil to be treated.

Again, congratulations on obtaining a NJDEP's certification to NJCAT's verification of your soil washing process as an Innovative Environmental Technology. If you have any questions, please contact Michael Winka, Administrator, of the Office of Innovative Technology and Market Development at (609) 984-5418.

Respectfully,

A large, stylized handwritten signature in black ink, likely belonging to Robert C. Shinn, Jr., is written over the typed name and title. The signature is fluid and cursive, with a large loop at the end.

Robert C. Shinn, Jr.
Commissioner

Enclosure

c: Marlen Dooley, Counsel to the Commissioner
Susan Boyle, Assistant Commissioner (Site Remediation)
Dennis Hart, Assistant Commissioner (Environmental Regulation)
Leslie McGeorge, Assistant Commissioner (Environmental Planning & Science)